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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,485	01/18/2002	Kazuya Kishimoto	P6544a	1419

20178 7590 05/05/2004

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EXAMINER

LEWIS, CHERYL RENE A

ART UNIT.	PAPER NUMBER
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2177

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DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,485

Applicant(s)

KISHIMOTO, KAZUYA

Examiner

Cheryl Lewis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-8 are presented for examination.

DRAWINGS

2. The formal drawings filed on January 18, 2002 have been approved by the drafts person.

PRIORITY

3. Applicant has complied and receives the benefit of priority of an earlier filing date under 35 U.S.C. 119(a-d) to Japanese Patent Application 2001-019040 filed January 26, 2001.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Perkowski (Pat. No. 6,625,581 B1 filed November 22, 1999).

6. Regarding Claims 1, 4, 7, and 8, Perkowski teaches a method of and system for enabling the access of consumer product related information and the purchase of consumer products at points of consumer presence on the world wide web (www) at which consumer product information request (cpir) enabling servlet tags are embedded within html-encoded documents.

The method and associated system for enabling the access of consumer product related information and the purchase of consumer products at points of consumer presence on the world wide web (www) at which consumer product information request (cpir) enabling servlet tags are embedded within html-encoded documents as taught or suggested by Perkowski includes:

a communication link (Abstract, lines 1 and 2 '...delivering consumer product related information to consumers over the Internet.', col. 22, lines 56-67 '...telecommunications network (such as the Internet) 10 having an infrastructure including Internet Service Providers (ISPs), Network Service Providers (NSPs), routers, telecommunications lines...', col. 23, lines 1-11 '...a plurality of Internet Product-Information (IPI) Servers, each indicated by reference numeral 12 and being connected to the Internet via the Internet infrastructure...') to a product information management apparatus having product information management data (col. 5, lines 3-8 '...information maintained within the Internet-based product information database management subsystem provides a manufacturer-defined consumer product directory...', col. 22, lines 41-56 '...a central UPN/URL Database Management Subsystem 9 for storing and serving various types of consumer-product information to retailers, manufacturers and

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consumers alike (e.g., the name of the product's manufacturer...'); a receiver for receiving (col. 13, lines 40-45 '...IPD Servers, and a plurality of Client Subsystems connected to the infrastructure of the Internet and allowing consumers in retail stores and at home to request and receive consumer-product related information from the IPD Servers...', col. 22, lines 5-10), through the communications network from a remote terminal (col. 23, lines 18-41 '...the Internet via the Internet infrastructure and available to consumers ($C_1, C_2, C_3, \dots, C_i$); one or more data communication (i.e. EDI) networks 14...each Client Computer 13 available to a Manufacturer ($M_1, M_2, M_3, \dots, M_j$) and Retailer ($R_1, R_2, R_3, \dots, R_k$) within the retail supply and demand chain; a Web-based Document Server 30 connected to at least one of the IPD Servers...for transferring documents and messages to remote Client Computer Systems during the registration...'), a request command requesting transmission of product information (col. 26, lines 1-41, '...an Internet user can find product-related information on the Internet...on the on-screen radio button 19 functions as an "IPI Web-site Find" Button (or Consumer Product Information Button)...IPI Web-sites" can include, but are not limited to: (1) one or more mirrored UPC Request Central Web-sites from which consumer product information from all manufacturers is available for access to consumers from the predetermined Internet domains; and (2) an UPC Request Retail Web-site, for each retailer, wherein consumer product information associated with only manufacturers of products offered by the retailer is available for access to consumers from predetermined Internet domains within physical retail "brick and Mortar" stores and "electronic commerce enables stores', col. 27, lines 20-35) management data (col. 5,

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lines 3-8, col. 22, lines 41-56) related to a specified product (col. 26, lines 1-41, col. 27, lines 20-35); a communication link (Abstract, lines 1 and 2, col. 22, lines 56-67, col. 23, lines 1-11) is effective for obtaining from product information management apparatus (col. 5, lines 3-8, col. 22, lines 41-56), in response to a request command (col. 26, lines 1-41, col. 27, lines 20-35) the product information management data (col. 5, lines 3-8, col. 22, lines 41-56) related to a specified product (col. 26, lines 1-41, col. 27, lines 20-35); and a transmitter for transmitting (col. 9, lines 39-47 '...an Internet-based registration server automatically transmits a computer program to the manufacturer's (or retailer's) computer system...', col. 43, lines 66 and 67, col. 45, lines 1-10) the product information management data (col. 5, lines 3-8, col. 22, lines 41-56) related to a specified product (col. 26, lines 1-41, col. 27, lines 20-35) to a remote terminal (col. 23, lines 18-41).

7. Regarding Claims 2 and 5, Perkowski teaches status information (figure 4A2, col. 42, lines 43-67 '...a Product Update Information Field...a Product Warranty/Servicing Information Filed... on the Internet relating to warranty, extended warranty offerings, servicing and maintenance of product...', col. 44, lines 39-44, '...a Status Information Field...') in accordance with the progress of a design operation (col. 31, lines 30-57).

8. Regarding Claims 3 and 6, Perkowski teaches the type (col. 42, lines 43-67, col. 43, lines 13-50) and amount of product (figure 4T1 "Price", "Bid", "Bid Size", etc.) information management data (col. 5, lines 3-8, col. 22, lines 41-56) transmitted from a transmitter (col. 9, lines 39-47) is dependent on the identification of the user (col. 14, lines 51-63) of a remote terminal (col. 23, lines 18-41).

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CONCLUSION

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

A. Reisman (U.S. Pat. No. 6,594,692 B1) discloses methods for transacting electronic commerce.

NAME OF CONTACT

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (703) 305-8750. The examiner can normally be reached on 6:30-3:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

(703) 746-5651 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Cheryl Lewis
Patent Examiner
April 26, 2004



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100